



13281 U.S. PTO

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)

Submit an original and a duplicate for fee processing

15364 U.S. PTO
10/811140

032904

| | | | | |
|-------------------|----------------|--------------------|----------|-----------|
| THIS APPLICATION: | | PRIOR APPLICATION: | | TOTAL NO. |
| DOCKET NUMBER | FILING DATE | EXAMINER | ART UNIT | OF PAGES |
| P66880US2 | March 29, 2004 | SHAHNAN SHAH | 1645 | 38 |

Address to:

Commissioner of Patents
Box Patent Application
Washington, D.C. 20231

RULE 53(f) - NO FEE

This is a request for filing a [X] continuation or [] divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 10/173577 filed on **June 18, 2002**, entitled **IN VITRO MODEL FOR GASTROINTESTINAL INFLAMMATION** by the following inventor(s).

| | | | |
|-------------------------|--|--------------------------|---------------------------|
| | Family Name | First Given Name | Second Given Name |
| Full Name of Inventor | COLLINS | John | Kevin |
| | City | State or Foreign Country | Country of Citizenship |
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| | | | |
|-------------------------|---|--------------------------|---------------------------|
| | Family Name | First Given Name | Second Given Name |
| Full Name of Inventor | O'MAHONY | Liam | |
| | City | State or Foreign Country | Country of Citizenship |
| Residence & Citizenship | Cork | Ireland | Ireland |
| | Post Office Address | City | State & Zip Code/ Country |
| Post Office Address | 41 Maryville Estate, Ballintemple, Cork, County Cork, Ireland | | |

[] additional sheet(s) with inventors information attached

1. [] A Second Preliminary Amendment is enclosed.
2. [X] Cancel claim(s) 2-15 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

| | | | | |
|----------------------------------|---|--------|-------------|------------|
| Basic Fee | | | \$385 | \$770 |
| Total Claims | 1 | - 20 = | x 9 = \$ | x 18 = \$ |
| Ind. Claims | 1 | - 3 = | x 43 = \$ | x 86 = \$ |
| [] Multiple Dependent Claims | | | +145 = \$ | + 290 = \$ |
| | | | Total \$385 | Total \$ |

3. [] The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. [X] This application is filed under Rule 53(f) and therefore the [X] Filing Fee [] Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 35 C.F.R. 1.16 fees previously made is revoked.
5. [] A check in the amount of \$_____ is enclosed.
6. [X] Amend the specification by inserting before the first line the sentence:

This is a Continuation of application Serial No. 10/173577 filed June 18, 2002;
[X] which in turn was a Continuation of application Serial No. 09/903690 filed July 13, 2001;
which in turn was a 371 continuation of PCT/IE00/00009 filed January 17, 2000.
7. [X] A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:
a) [X] was claimed by way of a declaration filed in prior application Serial No. 09/903690.
b) [] is claimed by way of the attached declaration.
8. [X] Priority of application Serial No. 990033 and 990782, filed on January 15, 1999 and September 20, 1999, respectively both in Ireland is claimed under 35 U.S.C. 119.
a) [X] Certified copy is on file in prior application, Serial No. 09/903690.
b) [] Certified copy filed herewith.
9. [X] The prior application is assigned of record to Enterprise Ireland (trading as BioResearch

Ireland) and National University of Ireland, Cork.

10. ☒ The Power of Attorney in the prior application is to at least one of the following:

John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Yoon S. Ham, 45,307; and Nathaniel A. Humphries, 22,772.

- a) ☒ The power appears in the original papers of the prior application.
- b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. ☒ Petition to extend the life of the above prior application to at least the date hereof

(One box) ☒ is being concurrently filed in
NOTE: (must be) that prior application.
(X'd) ☐ was previously filed in that application.
☐ is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☐ New formal drawings are enclosed.

13. ☒ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 09/903690, filed July 13, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.

- a) ☒ A Second IDS was filed in Serial No. 10/173577, filed June 18, 2002 and a copy of each IDS, less the documents, are enclosed.

14. ☒ Enclosed is a copy of the PTO 892 which issued in Serial No. 09/903690, filed July 13, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.

- a) ☒ A second PTO 892 issued in Serial No. 10/173577, filed June 18, 2002 and copies of each PTO 892, less the documents, are enclosed.

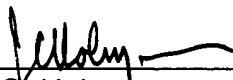
15. ☐ Also enclosed is:

Address all future correspondence to:

Customer No. 00136
or
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666

Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 10/173577, filed on June 18, 2002. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By 
John G. Holman
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(202) 638-6666

Signed this 29th day of
March, 2004

☒ Attorney or Agent of record

☐ Filed under 37 CFR 1.34(a)